



1654
#6
DmP
5583

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yan et al.
Serial No. : 10/002,585
Filed : November 30, 2001
Title : COMPOUNDS AND METHODS FOR THE MODULATION OF CD154

Art Unit : 1654
Examiner : Roy R. Teller

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed March 24, 2003, Applicant elects the invention of Group I drawn to the embodiment of methods comprising a treatment of thrombosis and inflammatory disease by inhibiting the release of soluble CD154 from platelets. The election is made without traverse.

In addition, the Examiner asserts that the application "contains claims directed to patentably distinct species" and indicates that the Applicant must "select one metalloproteinase inhibitor from the group: HONHCOCH₂CH(CH₂CH(CH₃)₂-CO-NaI-Ala-NHCH₂CH₂NH₂ (TAPI-1), tissue inhibitor of metalloprotease-2 (TIMP-2), doxycycline, galardin or SB-3CT (MMP2/MMP9 inhibitor VI)." Applicant notes that contrary to the statements of the Examiner, this is a species election. Therefore, Applicant elects the species TIMP-2, with traverse. As this is a species election, Applicant retains the right to add the remaining metalloproteinase inhibitors back into the application if a generic claim to metalloproteinase inhibitor is found allowable.

Please apply any charges or credits to Deposit Account No. 06-1050.

RECEIVED

MAY 02 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

4/24/03

Signature

Cassandra Beepot

Typed or Printed Name of Person Signing Certificate


Cassandra Beepot

Applicant : Yan et al.
Serial No. : 10/002,585
Filed : November 30, 2001
Page : 2 of 2

Attorney's Docket No.: 10448-206001 / MPI 01-
316P1RN

Respectfully submitted,

Date: 4/24/03


Laurie Butler Lawrence
Reg. No. 46,593

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906